



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Steven T. Mitchell

Appln. No.: 10/684,668

Confirm. No.: 3396

Filed: October 14, 2003

Title: ARTIFICIAL VERTEBRAL DISK
REPLACEMENT IMPLANT WITH
CROSSBAR SPACER AND METHOD

PATENT APPLICATION

Art Unit: 3738

Examiner: Bruce Edward Snow

Atty. Docket No.: KLYCD-05008US1

Customer No. 23910

DECLARATION OF STEVE MITCHELL

1. My name is Steve Mitchell.
2. I understand that I have a duty to disclose to the U.S. Patent and Trademark Office all information I know to be material to patentability as defined in 37 C.F.R. 1.56.
3. I am an employee of St Francis Medical Technologies, Inc., the assignee of the above U.S. patent application and specialize in development of spinal implant devices.
4. I am the sole inventor of the above U.S. patent application.
5. I recall designing a prototype embodiment of the invention described in the above U.S. patent application in March 2002.
6. I recall attending an internal meeting in May 2002 where the prototype was shown to a research and development team.
7. I have viewed photographs labeled as Exhibits A-D.
8. I verify that Exhibits A-D depict the prototype inserted into an artificial spinal prosthesis.
9. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this declaration are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

9-19-05

Date

[Signature]

Signature

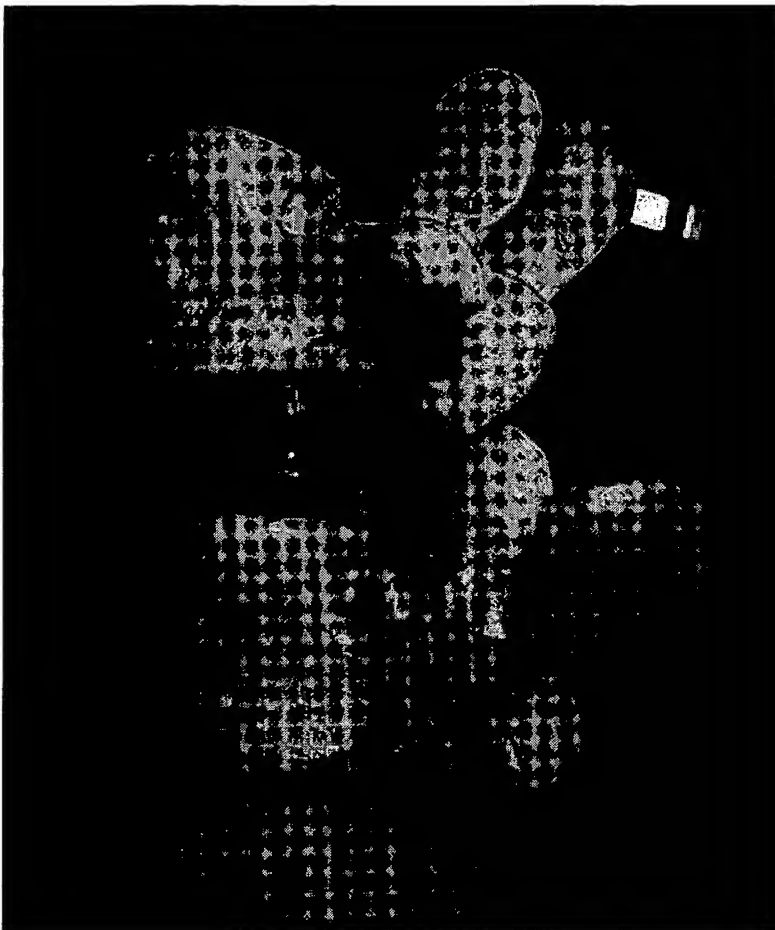


EXHIBIT A

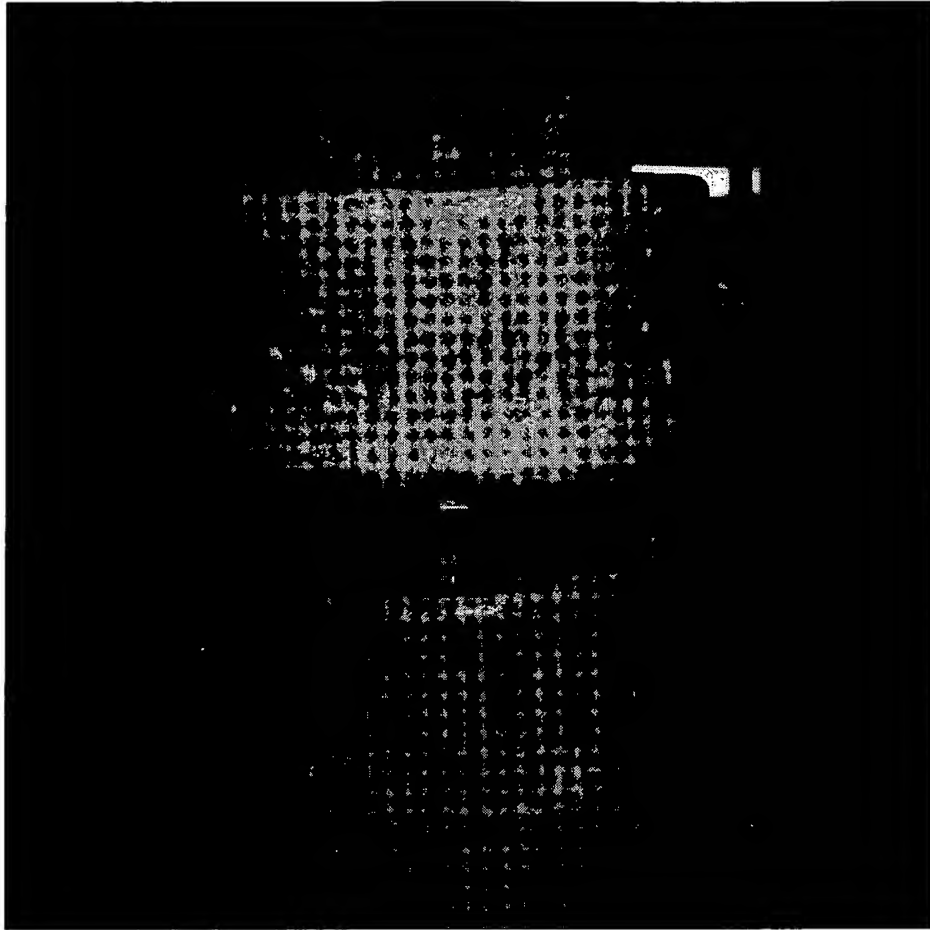


EXHIBIT B

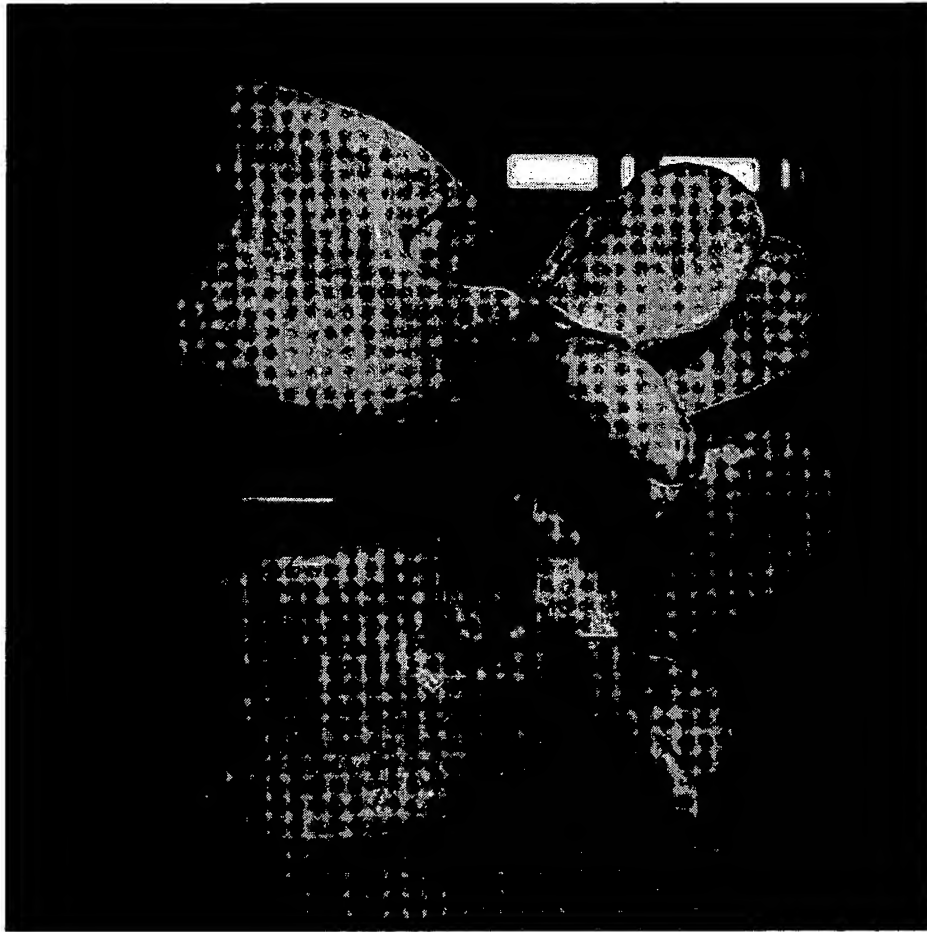


EXHIBIT C

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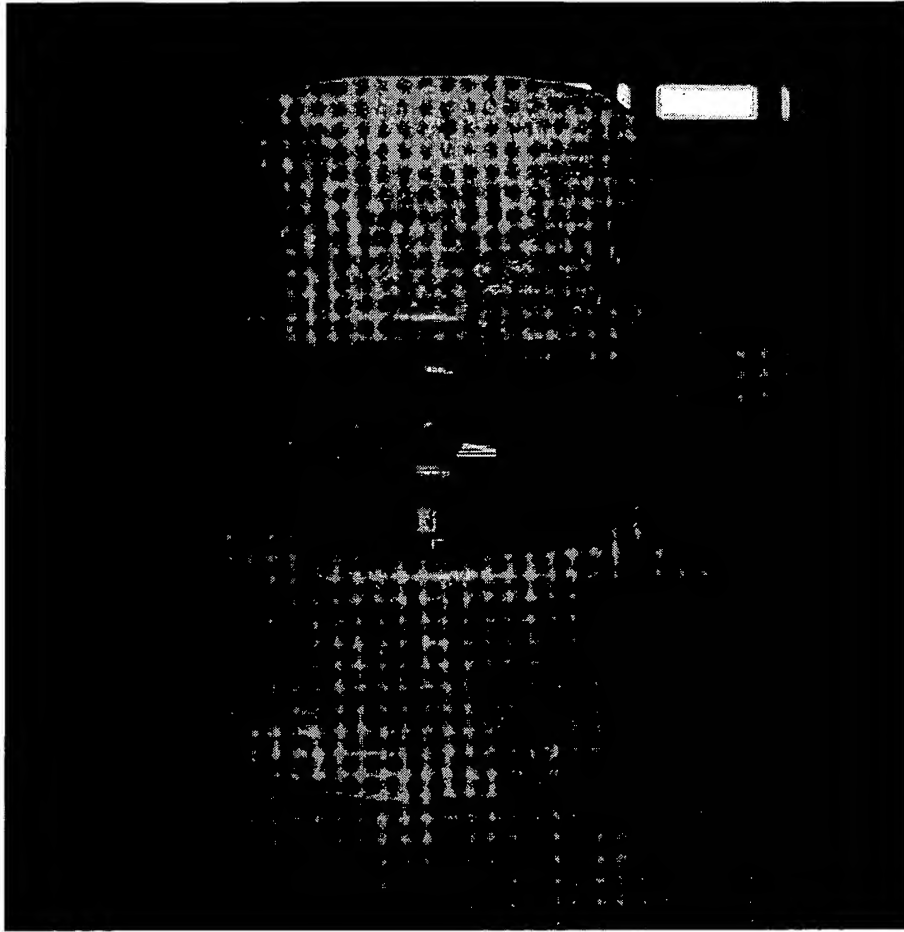


EXHIBIT D

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